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Attorneys for Plaintiff AT&T Corp.

IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK

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AT&T CORP.,	:	
	:	
<i>Plaintiff,</i>	:	07 CV 6544 (LAK)
	:	
-against-	:	AFFIDAVIT OF
	:	DORIAN LAFORCE IN
NIGERIAN TELECOMMUNICATIONS,	:	SUPPORT OF ASSESSMENT
PLC,	:	OF DAMAGES UPON
	:	<u>ENTRY OF DEFAULT</u>
<i>Defendant.</i>	:	
-----	X	
STATE OF NEW JERSEY)		
)		
)	ss.:	
COUNTY OF MORRIS)		

DORIAN LAFORCE, being duly sworn, deposes and says:

1. I am an employee of Plaintiff AT&T Corp. ("AT&T"). My current position is Director of Interconnection Agreements. As a Director of Interconnection Agreements, I am responsible for billing and settlements for the EMEA region (Europe, Middle East and Africa), including billing and settlements for Defendant Nigerian Telecommunications, PLC, successor in interest to Nigerian Telecommunications, Ltd. ("NiTel"). I have been employed by AT&T for the past 25 years. I have personal knowledge of the matters set forth herein.

2. I submit this affidavit in support of AT&T's request for an assessment of damages upon entry of a default judgment against defendant Nigerian Telecommunications, PLC ("NiTel").

3. Attached hereto as Exhibit 1 is a copy of AT&T's Statement of Account for NiTel (the "SOA"). The SOA is kept in the course of AT&T's regularly conducted business.

4. The SOA sets forth the amounts owed by NiTel to AT&T for the services provided as well as any amounts paid by NiTel.

5. As set forth in AT&T's Complaint (the "Complaint"), AT&T provided three types of services to NiTel: Bilateral Termination Service, Switched Transit Service, and Global Hubbing Service.

Bilateral Termination Service

6. AT&T and NiTel entered into an "Intercontinental Telephone Service Agreement" (the "ITSA") pursuant to which AT&T and NiTel established direct circuits between the two countries to provide direct telecommunications service between Nigeria and the continental United States. The service the parties provided to each other under this agreement is known as "Bilateral Termination Service."

7. Pursuant to the ITSA, AT&T and NiTel were to engage in a netting process whereby one party would owe the other party money based upon the "net" number of minutes of telephone call traffic exchanged between the parties in both directions.

8. AT&T provided Bilateral Termination Service to NiTel during the period October 2003 through December 2004. The amounts due to AT&T from NiTel for Bilateral Termination Service for this period are set forth on pages 3-4 of Exhibit 1, and are denominated "Bi-Lateral" in the Service Description column of the spreadsheet. As set forth in Exhibit 1, for service

month October 2003, NiTel owed AT&T a balance of \$32,866.08; for February 2004, a balance of \$7,467.26; for March 2004, a balance of \$24,165.33; for April 2004, a balance of \$29,464.67; for June 2004, a balance of \$13,864.97; for July 2004, a balance of \$16,300.33; for May 2004 (this month appears out of order on the spreadsheet), a balance of \$22,939.75; and for December 2004, a balance of \$2,787.11. The total amount due and owing by NiTel to AT&T for Bilateral Termination Service is \$149,855.50.

Switched Transit Service

9. AT&T and NiTel also entered into a Transit Service Terms Agreement and accompanying Confidential Transit Arrangement for Global Switched Transit (together, the “Transit Agreement”), with Concert Network Services, Ltd. (hereinafter “Concert”), to provide global-switched transit services (“Transit Service”).

10. Concert was a joint venture between AT&T and British Telecommunications plc that was dissolved effective April 1, 2002. Upon the dissolution of Concert, the Transit Agreement was assigned to AT&T, and AT&T is the successor-in-interest to Concert under the Transit Agreement.

11. For each minute of Transit Service provided by AT&T to NiTel, NiTel agreed to pay AT&T a per minute fee as provided by the terms of the Transit Agreement.

12. AT&T provided Transit Service to NiTel. The amounts due to AT&T from NiTel for Bilateral Termination Service for this period are set forth on the first line on page 1 of Exhibit 1, and are denominated “CTA” in the Service Description column of the spreadsheet. As set forth in the column entitled “Amount Due,” AT&T provided Transit Service to NiTel valued at \$1,266,498.81 during this period. Through the netting process, set forth in the columns headed “Offset Information,” AT&T has credited \$687,325.20 to the amount NiTel owes under the

Transit Agreement. The total amount due and owing by NiTel to AT&T for Transit Service is \$579,143.61.

Global Hubbing Service

13. On or about January 25, 2001, NiTel entered into an agreement with Concert called the "Concert Select Service Terms Attachment" and an accompanying "Concert Select Pricing Schedule" (together, the "Select Agreement"), pursuant to which Concert agreed to provide, and NiTel agreed to purchase, Global Hubbing Service. Upon the dissolution of Concert, the Select Agreement was assigned to AT&T, and AT&T is the successor-in-interest to Concert thereunder.

14. Pursuant to the Select Agreement, NiTel agreed to pay AT&T per minute rates for Global Hubbing Service.

15. For the period April 2004 through December 2005, AT&T provided Hubbing Service to NiTel based on the rates agreed upon by AT&T and NiTel. The amounts due to AT&T from NiTel for Global Hubbing Service for this period are set forth on pages 1-3 of Exhibit 1, and are denominated "Global Hubbing" in the Service Description column of the spreadsheet.

16. As set forth in Exhibit 1, for service month April 2004, NiTel owed AT&T a balance of \$493,618.18; for service month May 2004, a balance of \$256,618.18; for service month June 2004, a balance of \$233,634.96; for service month July 2004, a balance of \$391,851.21; for service month August 2004, a balance of \$194,092.89; for service month September 2004, a balance of \$185,245.97; for service month October 2004, a balance of \$259,764.50; for service month November 2004, a balance of \$154,254.19; for service month December 2004, a balance of \$132,583.49; for service month January 2005, a balance of

\$168,053.34; for service month February 2005, a balance of \$129,750.70; for service month March 2005, a balance of \$269,934.07; for service month April 2005, a balance of \$513,440.20; for service month May 2005, a balance of \$766,343.29; for service month June 2005, a balance of \$162,477.30; for service month July 2005, a balance of \$296.36; for service month August 2005, a balance of \$262.47; for service month December 2005, a balance of \$181.59; for service month January 2006, a balance of \$1,998.81; for service month January 2007, a balance of \$2,068.06; and for service month March 2007, a balance of \$734.05. The total amount due and owing by NiTel to AT&T for Global Hubbing Service is \$4,317,079.13.

17. In its complaint, AT&T claimed \$4,318,413.14 for Global Hubbing Service, a difference of \$1,334.01, based on a clerical error regarding the amounts due and owing for March 2007.

18. Exhibit 1 includes a balance due for February 2007 of \$2,274.41. While this amount is due and owing to AT&T, it is not claimed in this action.

19. The total amount due and owing to AT&T for all three types of service is \$5,046,078.24.

20. Annexed hereto as Exhibit 2 is a spreadsheet setting forth the calculation of interest at 9% per year through December 31, 2007. The total amount of interest through December 31, 2007 is \$ 1,448,460.44. The daily interest rate from January 1, 2008 forward is \$1,244.24.

WHEREFORE, AT&T requests the assessment of at least \$5,046,078.24, plus interest in the amount of \$1,448,460.44 for a total amount of \$6,494,538.68, plus pre-judgment interest of \$1,244.24 per day from January 1, 2008 through the date of judgment in damages upon entry of the annexed Judgment of Default against Defendant NiTel.

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Dorian LaForce
Dorian LaForce

Sworn to before me this
18th day of January 2008

R. Mahajan
Notary Public
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 6, 2012

EXHIBIT 1



Special Circumstances
Do Not Pay - Legal Issues
Do Not Pay - Offset Agreement in Place
Do Not Pay - Reconciliation in Process
Do Not Pay - Outstanding Debt
Offset - GHS/Refile
End of Term Contract

Statement of Account

Carrier Name: Nigeria Telecom - NITEL
Country: Nigeria
ORACLE Customer Code: IVS-NGA01
VIPRS Customer Code: CC 7149
As of April 30, 2007
Book Close Month: January, 2008

BILLING INFORMATION													OFFSET INFORMATION				
Service Month	Service Description	Reference #	Amount Due (USD)	IMF Factor	Amount Due	Due Date	Original Dispute	Service Description	Service Month	Invoice Number	US \$ Amount	Date Applied / Relieved	Balance Due				
Jan01-Dec01	CTA	KA0411R950	\$1,266,468.81	1.51047	\$1,266,468.81	11/24/2004	\$0.00	Cash									
								Bi-Lateral	Jan05-Dec05	KA0612P195	(\$72,836.96)	09/01/2005					
								Bi-Lateral	Jan06-Nov06	KA0612P196	(\$202,533.73)	12/12/2006					
								Bi-Lateral	Dec-06	KA0703P183	(\$353,068.64)	12/12/2006					
										Total Offset	(\$58,895.87)	03/24/2007					
										Total Offset	(\$687,325.20)		\$579,143.61				
Mar-04	Global Hubbing	KA0405S062	\$235,484.26	1.44990	\$235,484.26	05/26/2004	\$0.00	Bi-Lateral	Sep-04	KA0511P490	(\$20,475.84)	11/22/2005					
								Bi-Lateral	Oct-04	KA0511P491	(\$84,353.37)	11/22/2005					
								Bi-Lateral	Nov-04	KA0511P492	(\$98,633.79)	11/22/2005					
								Cash		Total Offset	(\$32,021.26)	01/27/2006	\$0.00				
Apr-04	Global Hubbing	KA0406S104	\$511,596.92	1.44908	\$511,596.92	06/24/2004	\$0.00	Cash			(\$235,484.26)						
											(\$17,978.74)	01/27/2006					
May-04	Global Hubbing	KA0406S334	\$256,493.51	1.46122	\$256,493.51	07/16/2004	\$0.00			Total Offset	(\$17,978.74)		\$493,618.18				
Jun-04	Global Hubbing	KA0406S138	\$233,634.96	1.45776	\$233,634.96	08/30/2004	\$0.00			Total Offset	\$0.00		\$256,493.51				
Jul-04	Global Hubbing	KA0409S009	\$391,851.21	1.46956	\$391,851.21	09/23/2004	\$0.00			Total Offset	\$0.00		\$233,634.96				
Aug-04	Global Hubbing	KA0410S107	\$194,092.89	1.47272	\$194,092.89	10/28/2004	\$0.00			Total Offset	\$0.00		\$391,851.21				
Sep-04	Global Hubbing	KA0410S220	\$185,245.97	1.53803	\$185,245.97	11/14/2004	\$0.00			Total Offset	\$0.00		\$194,092.89				
Oct-04	Global Hubbing	KA0412S101	\$259,764.50	1.53803	\$259,764.50	12/22/2004	\$0.00			Total Offset	\$0.00		\$185,245.97				



Special Circumstances
 Do Not Pay - Legal Issues
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Service Month	Service Description	Reference #	Amount Due (USD)	IMF Factor	Amount Due	Due Date	Original Dispute	Service Description	Service Month	Invoice Number	US \$ Amount	Date Applied / Relieved	Balance Due	
										Total Offset	\$0.00		\$259,764.50	
Nov-04	Global Hubbing	KA0412S253	\$154,254.19	1.53070	\$154,254.19	01/15/2005	\$0.00							
										Total Offset	\$0.00		\$154,254.19	
Dec-04	Global Hubbing	KA0501S277	\$132,583.48	1.51709	\$132,583.48	02/13/2005	\$0.00							
										Total Offset	\$0.00		\$132,583.48	
Jan-05	Global Hubbing	KA0503S084	\$168,053.34	1.00000	\$168,053.34	03/20/2005	\$0.00							
										Total Offset	\$0.00		\$168,053.34	
Feb-05	Global Hubbing	KA0504S058	\$129,750.70	1.00000	\$129,750.70	04/28/2005	\$0.00							
										Total Offset	\$0.00		\$129,750.70	
Mar-05	Global Hubbing	KA0504S217	\$269,934.07	1.00000	\$269,934.07	05/15/2005	\$0.00							
										Total Offset	\$0.00		\$269,934.07	
Apr-05	Global Hubbing	KA0506S065	\$513,440.20	1.00000	\$513,440.20	06/27/2005	\$0.00							
										Total Offset	\$0.00		\$513,440.20	
May-05	Global Hubbing	KA0507S098	\$766,343.29	1.00000	\$766,343.29	07/12/2005	\$0.00							
										Total Offset	\$0.00		\$766,343.29	
Jun-05	Global Hubbing	KA0508S110	\$162,477.30	1.00000	\$162,477.30	08/27/2005	\$0.00							
										Total Offset	\$0.00		\$162,477.30	
Jul-05	Global Hubbing	KA0509S073	\$296.36	1.00000	\$296.36	09/25/2005	\$0.00							



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Service Month	Service Description	Reference #	Amount Due (USD)	IMF Factor	Amount Due	Due Date									
Aug-05	Global Hubbing	KA0509S121	\$262.47	1.00000	\$262.47	10/12/2005			\$0.00			Total Offset	\$0.00		\$296.36
												Total Offset	\$0.00		\$262.47
Dec-05	Global Hubbing	KA0602S067	\$181.59	1.00000	\$181.59	02/27/2006			\$0.00			Total Offset	\$0.00		\$181.59
												Total Offset	\$0.00		\$1,998.81
Jan-06	Global Hubbing	KA0603S088	\$1,998.81	1.00000	\$1,998.81	03/23/2006			\$0.00			Total Offset	\$0.00		\$2,068.06
												Total Offset	\$0.00		\$2,274.41
Jan-07	Global Hubbing	KA0703S056	\$2,068.06	1.00000	\$2,068.06	03/30/2007			\$0.00			Total Offset	\$0.00		\$734.05
												Total Offset	\$0.00		\$4,567,740.02
Feb-07	Global Hubbing	KA0704S033	\$2,274.41	1.00000	\$2,274.41	04/22/2007			\$0.00			Total Offset	\$0.00		\$0.00
												Total Offset	\$0.00		\$0.00
Mar-07	Global Hubbing	KA0705S032	\$734.05	1.00000	\$734.05	05/26/2007			\$0.00			Total Offset	\$0.00		\$4,319,353.54
												Total Offset	\$0.00		\$0.00
TOTAL	Global Hubbing		\$4,567,740.02		\$4,567,740.02			\$0.00	\$0.00			Total Offset	\$0.00		\$0.00
	Refile				\$0.00							Total Offset	\$0.00		\$0.00
TOTAL	Refile		\$0.00		\$0.00				\$0.00			Total Offset	\$0.00		\$0.00
Oct-03	Bi-Lateral	KA0408R081	\$32,866.08	1.46372	\$32,866.08	09/13/2004			\$0.00			Total Offset	\$0.00		\$32,866.08
												Total Offset	\$0.00		



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Service Month	Service Description	Reference #	Amount Due (USD)	IMF Factor	Amount Due	Due Date	Original Dispute	Service Description	Service Month	Invoice Number	US \$ Amount	Date Applied / Relieved	Balance Due				
Feb-04	Bi-Lateral	KA0409R028	\$7,467.26	1.45670	\$7,467.26	09/22/2004	\$0.00										
										Total Offset	\$0.00		\$7,467.26				
Mar-04	Bi-Lateral	KA0409R029	\$24,165.33	1.45670	\$24,165.33	10/08/2004	\$0.00										
										Total Offset	\$0.00		\$24,165.33				
Apr-04	Bi-Lateral	KA0409R030	\$29,464.67	1.45670	\$29,464.67	10/08/2004	\$0.00										
										Total Offset	\$0.00		\$29,464.67				
Jun-04	Bi-Lateral-Adj	KA0410R041	\$13,864.97	1.46444	\$13,864.97	10/20/2004	\$0.00										
										Total Offset	\$0.00		\$13,864.97				
Jul-04	Bi-Lateral	KA0410R042	\$16,300.33	1.46444	\$16,300.33	10/20/2004	\$0.00										
										Total Offset	\$0.00		\$16,300.33				
May-04	Bi-Lateral	KA0511R027	\$22,939.75	1.42001	\$22,939.75	11/22/2005	\$0.00										
										Total Offset	\$0.00		\$22,939.75				
Dec-04	Bi-Lateral	KA0511R028	\$2,787.11	1.42001	\$2,787.11	11/22/2005	\$0.00										
										Total Offset	\$0.00		\$2,787.11				
Jan05-Dec05	Bi-Lateral	KA0612P195	(\$202,533.73)	1.00000	(\$202,533.73)	12/12/2006	\$0.00	CTA	Jan01-Dec01	KA0411R950	\$202,533.73	12/12/2006	\$0.00				
										Total Offset	\$202,533.73						
Jan06-Nov06	Bi-Lateral	KA0612P196	(\$353,058.64)	1.00000	(\$353,058.64)	12/12/2006	\$0.00	CTA	Jan01-Dec01	KA0411R950	\$353,058.64	12/12/2006	\$0.00				
										Total Offset	\$353,058.64						
Dec-06	Bi-Lateral	KA0703P183	(\$58,895.87)	1.00000	(\$58,895.87)	03/24/2007	\$0.00	CTA	Jan01-Dec01	KA0411R950	\$58,895.87	03/24/2007	\$0.00				
										Total Offset	\$58,895.87						



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Service Month	Service Description	Reference #	Amount Due (USD)	IMF Factor	Amount Due	Due Date	Original Dispute	Service Description	Service Month	Invoice Number	US \$ Amount	Date Applied / Relieved	Balance Due
TOTAL	Bi-Lateral		(\$464,632.74)		(\$464,632.74)		\$0.00				\$202,533.73		\$149,855.50
	Unapplied Cash				\$0.00								
TOTAL	Unapplied Cash		\$0.00		\$0.00		\$0.00				\$0.00		\$0.00
GRAND TOTAL			\$5,369,576.09		\$5,369,576.09		\$0.00				(\$123,766.23)		\$5,048,352.65

EXHIBIT 2



GHS - NIGERIA - INTEREST - CHARGE

Service Month	Service Description	Reference #	Original Amount Billed	Payment Due Date	Last Date Applied / Relieved	Balance Due	Annual Interest Percentage	From	Through	Number of Months Lapsed	Interest Charge
Jan01-Dec01	CTA	KA0411R050	\$1,266,468.81	11/24/2004	03/24/2007	\$579,143.61	9.00%	11/24/2004	12/31/2007	37	\$282,716.83 CUM
Apr-04	Global Hubbing	KA0406S104	\$511,596.92	06/24/2004	01/27/2006	\$493,618.18	9.00%	06/24/2004	12/31/2007	42	\$158,051.70 CUM
May-04	Global Hubbing	KA0406S334	\$266,493.51	07/16/2004		\$266,493.51	9.00%	07/16/2004	12/31/2007	41	\$78,871.75
Jun-04	Global Hubbing	KA0406S138	\$233,634.96	08/30/2004		\$233,634.96	9.00%	08/30/2004	12/31/2007	40	\$70,090.49
Jul-04	Global Hubbing	KA0409S009	\$391,851.21	09/23/2004		\$391,851.21	9.00%	09/23/2004	12/31/2007	39	\$114,616.48
Aug-04	Global Hubbing	KA0410S107	\$194,092.89	10/28/2004		\$194,092.89	9.00%	10/28/2004	12/31/2007	38	\$55,316.47
Sep-04	Global Hubbing	KA0410S220	\$185,245.97	11/14/2004		\$185,245.97	9.00%	11/14/2004	12/31/2007	37	\$51,405.76
Oct-04	Global Hubbing	KA0412S101	\$259,764.50	12/22/2004		\$259,764.50	9.00%	12/22/2004	12/31/2007	36	\$70,136.42
Nov-04	Global Hubbing	KA0412S253	\$154,254.19	01/15/2005		\$154,254.19	9.00%	01/15/2005	12/31/2007	35	\$40,491.72
Dec-04	Global Hubbing	KA0501S277	\$132,583.48	02/13/2005		\$132,583.48	9.00%	02/13/2005	12/31/2007	34	\$33,808.79
Jan-05	Global Hubbing	KA0503S084	\$168,053.34	03/20/2005		\$168,053.34	9.00%	03/20/2005	12/31/2007	33	\$41,593.20
Feb-05	Global Hubbing	KA0504S058	\$129,750.70	04/28/2005		\$129,750.70	9.00%	04/28/2005	12/31/2007	32	\$31,140.17
Mar-05	Global Hubbing	KA0504S217	\$289,934.07	05/15/2005		\$289,934.07	9.00%	05/15/2005	12/31/2007	31	\$62,759.67
Apr-05	Global Hubbing	KA0506S065	\$513,440.20	06/27/2005		\$513,440.20	9.00%	06/27/2005	12/31/2007	30	\$115,524.05
May-05	Global Hubbing	KA0507S098	\$766,343.29	07/12/2005		\$766,343.29	9.00%	07/12/2005	12/31/2007	29	\$166,679.67
Jun-05	Global Hubbing	KA0508S110	\$162,477.30	08/27/2005		\$162,477.30	9.00%	08/27/2005	12/31/2007	28	\$34,120.23
Jul-05	Global Hubbing	KA0509S073	\$296.36	09/25/2005		\$296.36	9.00%	09/25/2005	12/31/2007	27	\$60.01
Aug-05	Global Hubbing	KA0509S121	\$262.47	10/22/2005		\$262.47	9.00%	10/22/2005	12/31/2007	26	\$51.18
Dec-05	Global Hubbing	KA0602S067	\$181.59	02/27/2006		\$181.59	9.00%	02/27/2006	12/31/2007	22	\$29.96
Jan-06	Global Hubbing	KA0603S088	\$1,998.81	03/23/2006		\$1,998.81	9.00%	03/23/2006	12/31/2007	21	\$314.81
Jan-07	Global Hubbing	KA0703S056	\$2,068.06	03/30/2007		\$2,068.06	9.00%	03/30/2007	12/31/2007	9	\$139.59
Mar-07	Global Hubbing	KA0705S032	\$734.05	05/26/2007		\$734.05	9.00%	05/26/2007	12/31/2007	7	\$38.54
Oct-03	Bi-Lateral	KA0408R081	\$32,866.08	09/13/2004		\$32,866.08	9.00%	09/13/2004	12/31/2007	39	\$9,613.33
Feb-04	Bi-Lateral	KA0409R028	\$7,467.26	09/22/2004		\$7,467.26	9.00%	09/22/2004	12/31/2007	39	\$2,184.17
Mar-04	Bi-Lateral	KA0409R029	\$24,165.33	10/08/2004		\$24,165.33	9.00%	10/08/2004	12/31/2007	38	\$6,887.12
Apr-04	Bi-Lateral	KA0409R030	\$29,464.67	10/08/2004		\$29,464.67	9.00%	10/08/2004	12/31/2007	38	\$9,397.43
Jun-04	Bi-Lateral-Adj	KA0410R041	\$13,864.97	10/20/2004		\$13,864.97	9.00%	10/20/2004	12/31/2007	38	\$3,951.52
Jul-04	Bi-Lateral	KA0410R042	\$16,300.33	10/20/2004		\$16,300.33	9.00%	10/20/2004	12/31/2007	38	\$4,645.59
May-04	Bi-Lateral	KA0511R027	\$22,939.75	11/22/2005		\$22,939.75	9.00%	11/22/2005	12/31/2007	25	\$4,301.20
Dec-04	Bi-Lateral	KA0511R028	\$2,787.11	11/22/2005		\$2,787.11	9.00%	11/22/2005	12/31/2007	25	\$522.58
TOTAL			\$5,751,382.18			\$5,046,078.24				954	\$1,448,460.44